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KERALA GOVERNMENT GAZETTE

EXTRAORDINARY

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Trivandrum, Thursday 1st November 1956|16th Thulam 1132.

NOTIFICATION

P5-35558|56|P & M.

Dated, Trivandrum, the 1st November 1956.

The following Notifications dated 1st November 1956 of the Government of India are republished for general information.

By order of the Governor,
N. E. S. RAGHAVACHARI,
Chief Secretary.

GOVERNMENT OF INDIA

Ministry of Home Affairs

NOTIFICATION

New Delhi, the 1st of November 1956.

S. R. O. No. 2529. The following Proclamation by the President is published for general information:—

PROCLAMATION

WHEREAS by virtue of the provisions of the States Reorganisation Act, 1956, a new State of Kerala is formed on this the first day of November, 1956;

AND WHEREAS until such time as a general election is held for the purpose, there will be no Legislative Assembly for the said State;

AND WHEREAS I, Rajendra Prasad, President of India, am satisfied that a situation has consequently arisen

in which the Government of the said State cannot be carried on in accordance with the provisions of the Constitution;

NOW, THEREFORE, in exercise of the powers conferred by article 356 of the Constitution and of all other powers enabling me in this behalf, I hereby—

(a) assume to myself as President of India all functions of the Government of the State of Kerala and all powers vested in or exercisable by the Governor of that State;

(b) declare that the powers of the Legislature of the said State shall be exercisable by or under the authority of Parliament; and

(c) make the following incidental and consequential provisions which appear to me to be necessary or desirable for giving effect to the objects of this Proclamation, namely:—

(i) in the exercise of the functions and powers assumed to himself by virtue of clause (a) of this Proclamation, it shall be lawful for the President to act to such extent as he thinks fit through the Governor of the said State;

(ii) the operation of the following provisions of the Constitution in relation to the said State is hereby suspended, namely:—

So much of clause (2) of article 151 as relates to the laying of the reports before the Legislature of the State, articles 163 and 164, so much of clause (3) of article 166 as relates to the allocation among Ministers of the business of the Government of the State, articles 167 and 169, articles 174 to 186 (both inclusive), clause (3) of article 187 so far as it requires consultation with the Speaker of the Legislative Assembly, articles 188 and 189, articles 193 to 198 (both inclusive), articles 200 and 201, so much of clause (3) of article 202 as relates to salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly, articles 208 to 211 (both inclusive), the proviso to clause (1) and the proviso to clause (3) of article 213, so much of clause (5) of article 320 as relates to the laying of the regulations before the Legislature of the State and so much of clause (2) of article 323 as relates to the laying of the report with a memorandum before the Legislature of the State;

(iii) a general election for constituting the Legislative Assembly for the said State shall be held as soon as possible;

(iv) any reference in the Constitution to the Governor shall in relation to the said State be construed as a reference to the President, and any reference therein to the Legislature or Legislative Assembly of

the State shall, in so far as it relates to the functions and powers thereof, be construed as a reference to Parliament, and, in particular, the references in article 213 to the Governor and to the Legislature or Legislative Assembly of the State shall be construed as references to the President and to Parliament respectively;

PROVIDED that nothing herein shall affect the provisions of articles 153, 155 to 159 (both inclusive), 299 and 361 and paragraphs 1 to 4 (both inclusive) of the Second Schedule, or prevent the President from acting under sub-clause (i) of this clause to such extent as he thinks fit through the Governor of the said State;

(v) any reference in the Constitution to Acts or laws of, or made by, the Legislature of the State shall be construed as including a reference to Acts or laws made, in exercise of the powers of the Legislature of the State, by Parliament by virtue of this Proclamation, or by the President or other authority referred to in sub-clause (a) of clause (i) of article 357 of the Constitution.

RAJENDRA PRASAD,
President.

1st November, 1956.

GOVERNMENT OF INDIA

Ministry of Home Affairs

NOTIFICATION

New Delhi, the 1st November 1956.

S. R. O. No. 2530. The following order made by the President is published for general information.

ORDER.

In pursuance of sub-clause (i) of clause (c) of the Proclamation issued by me on this the first day of November, 1956, under article 356 of the Constitution of India, I hereby direct that all the functions of the Government of the State of Kerala and all the powers vested in or exercisable by the Governor of that State under the Constitution or under any law in force in that State, which have been assumed by the President by virtue of clause (a) of the said Proclamation, shall, subject to the superintendence, direction and control of the President, be exercisable also by the Governor of the said State.

RAJENDRA PRASAD,
President.

1st November, 1956.

A. V. PAI,
Secretary to the Government of India,
Ministry of Home Affairs.

GOVERNMENT OF KERALA

Political and Military Department.

NOTIFICATION

No. P5-35559|56|P. & M.

Dated, Trivandrum, 1st November 1956.

By virtue of the power vested in him under Article 160 of the Constitution of India and all the powers enabling him in that behalf the President has been pleased to appoint Shri Pendyala Satyanarayana Rau to discharge the functions of the Governor of Kerala with effect from the 1st November, 1956.

Shri Pendyala Satyanarayana Rau was sworn in as Governor and has assumed office on the forenoon of 1-11-1956.

By order of the Governor,

N. E. S. RAGHAVACHARI,
Chief Secretary.